

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN CARLISLE,

Petitioner,

v.

SCOTT RUSSELL,

Respondent.

CASE NO. C12-5439 BHS-JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation ("R&R") of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 9. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Petitioner's petition for habeas corpus (Dkt. 1) is **DENIED**;
- (3) A certificate of appealability is **DENIED**; and
- (4) This case is closed.

DATED this 23rd day of October, 2012.



BENJAMIN H. SETTLE
United States District Judge